

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA**

UNITED STATES OF AMERICA,

v.

Criminal No. 1:23CR54

DAVID M. ANDERSON,

**DEFENDANT'S *UNOPPOSED* MOTION TO CONTINUE
THE DEFENDANT'S RULE 11 HEARING**

Comes now, defendant, David M. Anderson, through counsel, L. Richard Walker, First Assistant Federal Public Defender, and respectfully moves this Honorable Court to continue the Rule 11 hearing set for August 1, 2024.

In support of this motion, undersigned counsel states the Defendant is unavailable because he is providing medical care to his mother, age 89, who recently contracted pneumonia. She was hospitalized recently but is now in her home in Marshall County and the Defendant is supporting her recovery, providing daily care, meals, and therapy to her.

Undersigned has consulted with Assistant United States Attorney, Eleanor Hurney, who advised that **the government has no objection to this motion.**

Alternative dates include: August 21, 22, 23, and 30, 2024.

WHEREFORE, Defendant respectfully requests that the Court continue the rule 11 hearing to another date so that the Defendant can continue to provide daily care and support to his mother while she recovers from her illness.

Respectfully submitted,

DAVID M. ANDERSON

By: s/ L. Richard Walker
L. Richard Walker
WV State Bar No. 9580
Attorney for Defendant
Federal Public Defender Office
230 West Pike Street, Suite 360
Clarksburg, West Virginia 26301

CERTIFICATION OF SERVICE

I hereby certify that on July 30, 2024, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

**AUSA Eleanor Hurney
U.S.A.O - Martinsburg**

By: s/ L. Richard Walker
L. Richard Walker
WV State Bar No. 9580
Attorney for Defendant
Federal Public Defender Office
230 West Pike Street, Suite 360
Clarksburg, WV 26302
Tel. (304) 622-3823
Fax. (304) 622-4631
E-Mail: richard_walker@fd.org